

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
GARDEN CITY BOXING CLUB, INC.

Plaintiff CIVIL NO. 07-CV-8078

-AGAINST-

CRISTAL EN LA LLAVE DEL MAR RESTAURANT INC.

d/b/a CRISTAL RESTAURANT & SPORTS BAR

and CESAR R. ALMANZAR

**DEFAULT JUDGMENT**

Defendant

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This action having been commenced on September 14, 2007 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on the defendant, Cristal En La Llave Del Mar Restaurant Inc. d/b/a Cristal Restaurant & Sports Bar on October 25, 2007 and a proof of service having been filed on November 5, 2007 and the defendant not having answered the Complaint, and the time for answering the Complaint having expired. The Clerk also noted the defendant's default on February 5, 2008, it is

ORDERED, ADJUDGED AND DECREED: That the plaintiff have judgment against defendant in the amount of \$20,000.00 with interest at 9% from September 18, 2004, amounting to \$6,000.00; plus costs and disbursements of this action in the amount of \$470.00, amounting in all to \$26,470.00.

Dated: New York, New York

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Richard J. Holwell  
United States District Judge

This document was entered on the docket  
on \_\_\_\_\_

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
GARDEN CITY BOXING CLUB, INC.

Plaintiff                            07 CV 8078

-AGAINST-

CRISTAL EN LA LLAVE DEL MAR RESTAURANT INC.  
d/b/a CRISTAL RESTAURANT & SPORTS BAR  
and CESAR R. ALMANZAR

**AFFIDAVIT FOR JUDGMENT  
BY DEFAULT**

Defendant

-----X

STATE OF NEW YORK        )  
                                )        ss:  
COUNTY OF NEW YORK      )

Paul J. Hooten, being duly sworn, deposes and says:

I am a member of the Bar of this Court and am associated with the firm of Paul J. Hooten & Associates, attorney for plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.

1. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in support of plaintiffs application for the entry of a default judgment against defendant.

2. This is an action to recover the unauthorized exhibition of the telecast of the September 18, 2004, boxing match between Oscar De La Hoya and Bernard Hopkins by the defendant. See attached summons and complaint attached hereto as Exhibit "A".

3. This action was commenced on September 14, 2007 by the filing of the summons and complaint. A copy of the summons and complaint was served on the defendant

Cristal En La Llave Del Mar Restaurant Inc. d/b/a Cristal Restaurant & Sports Bar on October 25, 2007 by service on Carol Vogt, Clerk authorized to accept in the office of the Secretary of State of New York. The defendant has not answered the complaint and the time for the defendant to answer the complaint has expired.

4. This action seeks judgment in the amount of \$20,000.00, plus interest at 9% from September 18, 2004, amounting to \$6,000.00, plus costs and disbursements of this action in the amount of \$470.00, amounting in all to \$26,470.00.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: Mt. Sinai, New York  
February 18, 2008

/s/ Paul J. Hooten  
Paul J. Hooten (PJH9510)

Sworn to before me this  
18<sup>th</sup> day of February, 2008

/s/ Cheryl E. Lorefice  
Notary Public

Cheryl E. Lorefice  
Notary Public, State of New York  
No. 4999823  
Qualified in Suffolk County  
Commission Expires August 3, 2010

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GARDEN CITY BOXING CLUB, INC.

Plaintiff                            07 CV 8078

-AGAINST-

CRISTAL EN LA LLAVE DEL MAR RESTAURANT, INC.,  
d/b/a CRISTAL RESTAURANT & SPORTS BAR  
and CESAR R. ALMANZAR

**STATEMENT OF DAMAGES**

Defendant

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Amount of judgment ..... \$20,000.00

Interest at 9% from September 18, 2004 through January 2008 ..\$ 6,000.00

Costs and Disbursements:

Clerk's fee ..... \$ 350.00  
Process Server fee for service ..... \$ 120.00

Total as of November 20, 2006..... \$26,470.00

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
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GARDEN CITY BOXING CLUB, INC.

Plaintiff                    07 CV 8078

-AGAINST-

CRISTAL EN LA LLAVE DEL MAR RESTAURANT INC.  
d/b/a CRISTAL RESTAURANT & SPORTS BAR  
and CESAR R. ALMANZAR

**CERTIFICATE OF SERVICE**

Defendant

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I certify that a copy of the Default Judgment, Affidavit for Judgment by Default, and Statement of Damages was sent via U.S. Postal Service, postage prepaid, first class mail, addressed to the following on February 18, 2008:

Cristal En La Llave Del Mar Restaurant, Inc.  
d/b/a Cristal Restaurant & Sports Bar.  
5 West 170<sup>th</sup> Street  
Bronx, NY 10452

By:        /s/ Paul J. Hooten  
Paul J. Hooten, Esquire  
Attorney for Plaintiff  
5505 Nesconset Highway, Suite 203  
Mt. Sinai, NY 11766  
Telephone (631) 331-0547